



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

April 29, 2011

Teresa Raaf
Acting Forest Supervisor
431 Patterson Bridge Road
John Day, Oregon 97845

Re: EPA Region 10 Review of the Draft Environmental Impact Statement for the Galena Project
(EPA Project Number: 09-010-AFS)

Dear Ms. Raff:

The U.S. Environmental Protection Agency (EPA) has reviewed draft Environmental Impact Statement (DEIS) for the Galena Project (CEQ Number 20110084) on the Blue Mountain Ranger District of the Malheur National Forest, Grant County, Oregon. Our review of the DEIS was conducted in accordance with our responsibilities under National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our Section 309 authority, our review of the DEIS considers the expected environmental impacts, and the adequacy of the EIS in meeting procedural and public disclosure requirements of NEPA.

The focus of the proposed actions is modification of stand structure across the planning area in order to improve the vegetative condition and restore plant communities toward the range of historic conditions. Alternative 2 (the Proposed Action) would seek to move forested vegetation toward the historic range of variability and promote the development of old forest stand structures through commercial thinning and biomass removal, precommercial thinning, aspen restoration, and fuels treatments including prescribed burning. The proposed alternative also calls for road activities, including construction, reconstruction, maintenance, closure and decommissioning.

EPA issued scoping comments on this project in April of 2009. We appreciate the responsiveness of the Forest Service to our scoping comments. In particular, we appreciate the incorporation of road-related management measures consistent with the 2002 Galena Watershed Analysis. We also support the proposed utilization (where feasible) of non-merchantable woody biomass, and we are pleased to see this incorporated into the proposed alternative. We are also pleased to note that the proposed thinning prescriptions are tailored according to forest type, with emphasis on treatment in the "hot dry" and "warm dry" biophysical environments.

Our review did identify concern over the management of post-fire grazing. We are concerned that the proposed thinning and under burning may create areas that are sensitive to damage from livestock grazing (particularly where bunch grasses or other vegetation requiring long recovery periods are present). Further, past grazing has affected the ability of some watersheds on the Malheur National


Forest to provide vigorous and stable riparian habitat. We are concerned that the proposed management activities may provide additional riparian access to livestock and (if the uplands are not fully recovered at the time of turn out) encourage riparian use. The DEIS makes reference on page 156 of the DEIS to a 2007 interim policy for post-fire management which may address these concerns. We were not able to access this document on the internet, however, so we remain uncertain about the ability of this guidance to address our concerns. We encourage the Forest Service to include specific measures within the FEIS for the Galena project to ensure that livestock will not adversely impact burned areas or Riparian Habitat Conservation Areas (RHCAs) following treatment.

Recommendation:

- We recommend that FEIS include the measures in the 2007 interim policy for post-fire management among the design criteria.
- If not included among the criteria in the interim policy, we recommend that the FEIS include a design criterion specifying that grazing would not resume until ground cover has returned to its pre-fire condition.

Because of our concern over post-fire grazing, we have rated this DEIS as EC-1 (Environmental Concerns – Adequate). An explanation of this rating is enclosed. We appreciate the opportunity to provide comments, and if you have questions I encourage you to contact me at (206) 553-1601, or you may contact Teresa Kubo of my staff at (503) 326-2859 or kubo.teresa@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.